

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

INTERNATIONAL PROCESSPLANTS
AND EQUIPMENT CORP.,
Plaintiff,

v.

FIRST STANDARD ASURETY, LLLP;
DAVID HARRIS; METRO INDUSTRIAL
WRECKING & ENVIRONMENTAL
CONTRACTORS, INC.; MIWEC ASSET
RECOVERY, INC.; RINO ROTONDO;
AMERICAN EAGLE SERVICES GROUP,
INC.; and PAUL MAUCHA,
Defendants.

CIVIL ACTION

NO. 22-01630

O R D E R

AND NOW, this 6th day of March, 2025, upon consideration of Defendants FSA, Harris, Rotondo, Metro, and MIWEC's Motions to Dismiss (ECF No. 36, 40), IPP's Responses, and the Replies thereto, **IT IS ORDERED** as follows:

1. FSA/Harris's Motion to Dismiss (ECF No. 36) is **DENIED**. Defendants FSA and Harris must file an answer within **21 days** of this Order.
2. Defendant Rotondo's Motion to Vacate the Default (ECF No. 40) is **DENIED**.
3. Metro/MIWEC's Motion to Dismiss for Improper Venue, or to Transfer (ECF No. 40) is **DENIED**.
4. Metro/MIWEC's Motion to Dismiss the RICO claims (Count I) and Fraudulent Inducement Claim (Count II) is **GRANTED**. Count I and Count II are **DISMISSED WITHOUT PREJUDICE**. IPP may amend its complaint as to these claims within **21 days** of this Order. If an amended complaint is filed, Defendants shall have **14 days** to respond.

5. Metro/MIWEC's Motion to Dismiss the Conversion Claim (Count III) is **GRANTED**.

Count III is **DISMISSED WITH PREJUDICE**.

BY THE COURT:

/s/ **Hon. Kelley B. Hodge**

HODGE, KELLEY B., J.